

## REMARKS

This response shall substitute the response filed on October 12, 2010 in its entirety.

Claims 22-39 are pending. Claims 22, 23, 25, 26, 31, and 32 have been amended. No claims have been added or canceled. Support for the claim amendments may be found throughout the specification and figures, for example, at paragraphs [0027], [0042], and Figure 3. No new matter has been added.

### *Interview Summary*

Examiner Santiago is thanked for the telephone conversation conducted on October 19, 2010. Proposed claim amendments and the asserted arts were discussed. It appears that the appropriate amendments may overcome the asserted arts. Examiner Santiago indicated that she will consider the amendments and remarks submitted in this supplemental reply.

### *Claim Objections*

Claims 25, 26, 31, and 32 are objected to for containing acronyms. The claims have been amended to recite the words to which the acronyms refer in accordance with the Office Action's suggestion. Withdrawal of the claim objections to claims 25, 26, 31, and 32 is respectfully requested.

### *Rejections under 35 U.S.C. § 112*

Claims 22-39 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the written description requirement. Specifically, the Office Action suggests that the recitation of "temporal frequency" in claims 22, 31, and 32 was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 22, 31, and 32 have been amended by replacing "temporal frequency" with "time interval." Clear and unambiguous support for this amendment may be found, for example at paragraph [0042] of the specification ("a reminder of the emergency alert broadcast is periodically generated and provided to the alert recipient at a predetermined *time interval* specified by step 106 . The desired *time interval* between reminders at step 106 is entered by the alert recipient" (emphasis added)). Accordingly, reconsideration and

withdrawal of rejections to claims 22-39 under 35 U.S.C. § 112, first paragraph is respectfully requested.

***Rejections under 35 U.S.C. § 103(a)***

Claims 22-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 7,053,780 (“Straub”) in view of various combinations of U.S. Patent No. 7,003,304 (“Helferich”), U.S. Patent No. 6,177,873 (“Cragun”), U.S. Patent No. 6,850,604 (“Cannell”), U.S. Patent No. 6,728,522 (“Marrah”), U.S. Patent No. 6,710,715 (“Deeds”), U.S. Patent No. 7,233,781 (“Hunter”) and U.S. Patent Publication No. 2004/10080/430 (“Videtich”).

As amended, independent claim 22 recites “providing a periodic reminder of the emergency alert broadcast ***upon receipt of a first indication to decline to suspend a call in process,***” independent claim 31 recites “provide a periodic reminder of an emergency alert broadcast ***upon receipt of a first indication to decline to suspend a wireless telephone call in process,***” and claim 32 recites “providing information associated with the weather alert broadcast to the user of the wireless telephone via an audio, visual, or audio visual alert ***upon receipt of a first indication to decline to suspend a call in process***” (emphasis added).

None of the asserted references, individually or in combination, discloses, teaches or even suggests providing a periodic reminder ***upon receipt of a first indication to decline to suspend a call in process,*** as claimed. Therefore, it is respectfully submit that independent claims 22, 31 and 32 patentably define over the asserted references as applied. Additionally, as claims 23-30 ultimately depend from independent claim 22 and claims 33-39 ultimately depend from independent claim 32, it is further respectfully submitted that dependent claims 23-30 and 33-39 patentably define over the references as applied.

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**PATENT**

### **CONCLUSION**

In view of the foregoing amendments and remarks, the instant application is in condition for allowance. Favorable consideration and passage to issue of the application at the Examiner's earliest convenience is earnestly solicited.

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